



Timothy Gilman  
212.756.2086  
Tim.Gilman@srz.com

August 2, 2024

**VIA ECF**

Hon. Robert M. Levy  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

RE: *Varia Holdings LLC v. Apple, Inc.*, No. 23-cv-7477-RPK-RML (E.D.N.Y.)

Dear Judge Levy:

Plaintiff Varia Holdings LLC (“Varia”) respectfully requests a 45-day extension of the deadline to respond to Defendant Apple Inc.’s (“Apple’s”) counterclaims.

Apple’s counterclaims were filed on July 22, 2024. Under Fed. R. Civ. P 12(a)(1)(B), Varia has until August 12, 2024 to respond to Apple’s counterclaims. Varia is currently investigating Apple’s counterclaims and requires additional time to prepare a response. There have been no prior requests for extension of the deadline to respond to Apple’s counterclaims. Apple has consented to an extension of 45 days, which would move the deadline for Varia’s response to September 26, 2024. The requested extension will not otherwise require modifying the case schedule. Accordingly, Varia respectfully requests a 45-day extension of the deadline to respond to Apple’s counterclaims, moving the deadline to September 26, 2024.

Respectfully Submitted,

/s/ Timothy Gilman  
Timothy Gilman